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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/647,963	08/26/2003	Martin Lund	14222US02	5243
23446	7590	12/14/2007	EXAMINER	
MCANDREWS HELD & MALLOY, LTD			BARQADLE, YASIN M	
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SUITE 3400			ART UNIT	PAPER NUMBER
CHICAGO, IL 60661			2153	
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			12/14/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/647,963	LUND, MARTIN
	<b>Examiner</b>	<b>Art Unit</b>
	Yasin M. Barqadle	2153

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 26 September 2007.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**Response to Amendment**

1. The amendment filed on September 26, 2007 has been fully considered but are not deemed persuasive.

**Response to Arguments**

2. Applicant argues that "Cisco fails to disclose a first switch blade or a first multiserver platform." (Page 16, paragraph 3). "Nowhere in the Cisco reference is there any mention of using server blade." Page 17 and page 19, third paragraph respectively.

Examiner notes that switch blade is a device that performs switching functions (normally at layer 2 of the OSI model). Server blade performs functions such as serving files or information to a client. As such the switches in Cisco document meet the functions performed by the Applicant's claimed switch blades. "Switches are one of the core components of VLAN communications. They are the entry point for end-station devices into the switched fabric and for communication across the enterprise. Switches provide the intelligence to group users, ports, or logical addresses into common communities of interest. Each switch has the intelligence to make filtering and

forwarding decisions by packet, based on VLAN metrics defined by network managers, and to communicate this information to other switches and routers within the network." (Page 3, first paragraph). As to the issue of server blades and multiserver platform, the Cisco reference teaches "The backbone commonly acts as the aggregation point for large volumes of traffic. It also carries end-user VLAN information and identification between switches, routers, and directly attached servers." (Page 9, first paragraph. See also *Figure 7: Servers as Part of Multiple VLANs*). It is also noted that VLANs as in fig. 2 show a multiple VLAN groups of an enterprise network that include Engineering VLAN, Marketing VLAN and accounting VLAN each with its own workstations, servers connected via switch devices.

Applicant's arguments regarding the 101 rejection given by Examiner Kunameneni are persuasive, therefore it is withdrawn.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-15 are rejected under 35 U.S.C. 102 (b) as being anticipated by CISCO publications (July 1995, pages 1-14). CISCO publication describes:

As per claims 1 and 5:

A method and computer program for communicating information in a server platform, the method comprising: receiving at least one packet from at least one of a first switch blade associated with a first multiserver platform (see Page 9, Figure 9, left hand side bottom switch is first blade switch and multiserver platform is one under label VLAN1; it is inherent with network interface that any packet originated by the multiserver will be received by the first blade switch); determining at least a server blade associated with a second multiserver platform for receiving at least a portion of said received at least one packet (see Page 9, Figure 9, The second blade switch is left top switch and multiserver platform is the one under VLAN1; when a packet is received from first multiserver platform is received by the switch, the switch will determine (determination is made

by rules set by administrator) if the packet is to be sent to second multiserver platform, "Both of these techniques examine the packet when it is either received or forwarded by the switch. Based on set of rules defined by the administrator ...", Page 3, third Para and page 4 Para 3-4, Fig. 2 shows identifying packets in multiplatform VLANs); and routing said at least a portion of said at least one received packet to at least said server blade (Once the determination is made by the first blade switch, that packet belongs to multiserver platform connected to second switch blade, it will be sent (routed to second blade that is associated with second multiserver platform, "Based on the set of rules defined by the administrator, these techniques determine where the packet is to be sent, filtered, and/or broadcast.", Page 3, third Para, Lines 5-7. See also page 9, first paragraph for end-user VLAN information and identification carried between switches, routers, and directly attached servers.

As per Claims 2 and 6.

The method and computer according to claim 1 and 5 (see supra for discussion of claims 1 and 5), wherein said receiving further comprises receiving said at least one packet by at least one of a second switch blade and central switch (see figs 3; 5

and Figure 9) it is inherent in the FDDI a packet on the ring will be received by all members of the ring).

As claims 3 and 7:

The method and computer program according to claims 2 and 6 (see supra, for discussion of claim 2 and 6), further comprising if said at least one packet is received by said central switch, communicating said at least a portion of said at least one received packet to at least said a third switch blade associated with said second multiserver platform (see fig. 2, 5 and 9 ) via at least one communication link that couples said central switch directly to said at least said second switch blade (See page 9, Figure 9, the central switch is middle top switch on FDDI ring, and is connected through FDDI ring to the bottom left (first blade switch) and top left (second blade switch) switch. If a packet is received by the central switch it will be sent to proper multiserver platform blade switch, based on which multiserver the packet belongs, "Based on the set of rules defined by the administrator, these techniques determine where the packet is to be sent, filtered, and/or broadcast.", Page 3, third Para, Lines 5-7).

As per claims 4 and 8:

The method and computer program according to claims 1 and 5 (see supra for claims 1 and 5 discussion), further comprising processing said routed at least a portion of said at least one received packet by said at least said server blade server (On the FDDI ring the packet will be received by second blade switch and will be processed by the ring interface of the switch.).

For claim 9: A system for (communicating information in a server platform, the system comprising: a first multiserver platform (for this claim, Page 8, Figure 8, right hand side block will be used for claim elements; bottom row) comprising at least one of a network interface (multiserver platform first one in bottom row, under VLAN1 and a network interface connecting to the switch to the multiserver) and a first switch blade (bottom block of three switches, second one connected to first multiserver platform under the label VLAN1); and at least a second multiserver platform (second row) comprising a second switch blade (middle switch) coupled [to] said first switch blade of said first multiserver platform (middle switch connected to second multiserver platform, under the label VLAN1

; both first multiserver platform and second multiserver platform are coupled by VLAN1 ).

As per claim 10:

The system according to claim 9 (see supra for discussion of claim 9), further comprising at least a third multiserver platform (Figure 8, right hand side block, sixth switch from bottom connected to third multiserver platform, under the label VLAN1) comprising a third switch blade (Page 8, Figure 8, right hand side block, sixth switch from bottom connected to third multiserver platform present under label VLAN1) coupled to at least one of said second switch blade of said second multiserver platform and said first switch blade of said first multiserver platform (all three multiserver platforms are coupled by VLAN1).

As per claim 11 :

The system according to claim 10 (see supra for discussion of claim 10), wherein said first multiserver platform (Page 8, Figure 8, right bottom first multiserver platform under VLAN 1), said second multiserver platform (Page 8, Figure 8, right center multiserver platform under VLAN ( 1) and said third multiserver (Page 8, Figure 8, right top third multiserver platform over

VLAN 1) are coupled in daisy-chain configuration (Small Business Computing online dictionary defines daisy chain as, "daisy chain: (n) A hardware configuration in which devices are connected one to another in a series. The SCSI interface, for example, supports a daisy chain of up to 7 devices." As you can see from page 8, Figure 8, the first, second and third multiserver platforms communication path is in series).

As per claim 12:

The system according to claim 10, wherein said first multiserver platform, and said third multiserver platform communicate via said second multiserver platform (As per page 8, Figure 8, the first multiserver platform including the switch and the second multiserver platform including the switch have to communicate through second multiserver platform including the switch (because the switch is a blade switch, which is part of multiserver platform)).

As per claim 13

a first multiserver platform comprising at least one of a network interface and a first switch blade (Figure 9, clock wise bottom right hand side blade switch, server 1 with network

interface to switch labeled under VLAN1 ); and at least a second multiserver platform comprising a second switch blade coupled said first switch blade of said first multiserver platform (Figure 9, clockwise top left hand side, second multiserver platform under the label VLAN1, network interface connected to second switch, both coupled by VLAN 1 ). }, further comprising at least one central switch (page 9, Figure 9, top central switch) coupled to at least said first switch blade of said first multiserver platform and said second switch blade of said second multiserver platform ( first and second switches are coupled by FDDI ring).

As per claim 14

The system according to claim 13 (see supra for claim 13 discussion), further comprising at least a third switch (Page 9, Figure 9, clockwise top right hand side switch) blade of a third multiserver platform (third multiserver platform present under the label VLAN1) coupled to said at least one central switch (Page 9, Figure 9, top central switch coupled to other four switches by FDDI ring).

As per claim 15:

The system according to claim 14 (see supra for claim 14 discussion), wherein said first multiserver platform, said second multiserver platform and said third multiserver platform communicate via said central switch (Page 9, Figure 9, top central switch coupled to other three switches containing Multiserver platform 1, clockwise bottom left switch on VLAN1, multiserver platform 2 clockwise top left switch on VLAN1, and multiserver platform 3 clockwise top right switch on VLAN1).

### Conclusion

4. **ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

The prior made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yasin Barqadle whose telephone number is 571-272-3947. The examiner can normally be reached on 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Information regarding the status of an application may be obtained form the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either private PAIR or public PAIR system. Status information for unpublished applications is available

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YB

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